



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/748,741	12/26/2000	John O. Limb	40671/PAN/B600

O I P E JCS 23063
MAY 30 2001
CHRISTIE, PARKER & HALE, LLP
350 WEST COLORADO BOULEVARD
SUITE 500
PASADENA, CA 91105

CONFIRMATION NO. 4263
FORMALITIES LETTER



OC000000005921423

Date Mailed: 03/30/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**FILED UNDER 37 CFR 1.53(b)*****Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$170.
 - \$90 for 5 total claims over 20.
 - \$80 for 1 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1010.

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

05/31/2001 BHABTEN 00000056 09748741
01 FC:101
02 FC:103
03 FC:102
04 FC:105

710.00
90.00
80.00
130.00

*A copy of this notice **MUST** be returned with the reply.*

Zenel A. Neff.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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PHONE: (202) 371-2600 • FACSIMILE: (202) 371-2540 • www.skf.com

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3

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*LIMITED TO MATTERS
AND PROCEEDINGS BEFORE
FEDERAL COURTS & AGENCIES
**REGISTERED PATENT AGENT
***SENIOR COUNSEL

May 30, 2001

WRITER'S DIRECT NUMBER:
(202) 371-2629
INTERNET ADDRESS:
DONF@SKF.COM

Commissioner for Patents
Washington, D.C. 20231

Box Missing Parts

Re: U.S. Nonprovisional Patent Application
Appl. No. 09/748,741; Filed: December 26, 2000
For: **Method for Opening a Proprietary MAC Protocol in a Non-DOCSIS Modem Compatibly with a DOCSIS Modem**
Inventor(s): Limb et al.
Our Ref: 1875.0830001

Sir:

In reply to the "Notice to File Missing Parts of Application--Filing Date Granted," dated March 30, 2001, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. PTO Fee Transmittal Form PTO/SB/17 (*in duplicate*);
2. Copy of the Notice to File Missing Parts;
3. Original Declaration, executed by the inventor(s);
4. An original executed Revocation of Prior Power of Attorney and Appointment of New Attorneys of Record;
5. Certificate under 37 C.F.R. § 3.73(b) with copy of Assignment attached;

Commissioner for Patents
May 30, 2001
Page 2

6. Request to Approve Proposed Drawing Corrections with six (6) sheets of corrected drawings;
7. Authorization to Treat a Reply as Incorporating an Extension of Time under 37 C.F.R. § 1.136(a)(3) (*in duplicate*);
8. Request for Change of Attorney Docket Number;
9. Return postcard; and
10. Our Check No. 31476 for \$1010.00 to cover:

\$ 710.00 filing fee for patent application (37 C.F.R. § 1.16),
\$ 170.00 fee for excess claims (37 C.F.R. § 1.16), and
\$130.00 surcharge for late filing of Declaration (37 C.F.R. § 1.16).

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Donald J. Featherstone
Attorney for Applicants
Registration No. 33,876

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

MAY 30 2001
U.S. PATENT AND TRADEMARK OFFICE
RECEIVED

METHOD OF PAYMENT

(\$1010.00)

Complete if Known

Application Number	09/748,741
Filing Date	December 26, 2000
First Named Inventor	John O. Limb
Examiner Name	To be assigned
Group Art Unit	2642
Attorney Docket No.	1875.0830001

METHOD OF PAYMENT

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number

19-0036

Deposit Account Name

Sterne, Kessler, Goldstein & Fox P.L.L.C.

Charge Any Additional Fee Required
Under 37 CFR §§ 1.16 and 1.17

Applicant claims small entity status
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other*

*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	481	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
Other fee (specify):					
Other fee (specify):					

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 40.00)

** or number previously paid, if greater; For Reissues, see above

SUBMITTED BY**Complete (if applicable)**

Name (Print/Type)	Donald J. Featherstone	Registration No. (Attorney/Agent)	33,876	Telephone	202-371-2600
Signature			Date	5/30/01.	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

7/1/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of:

Limb *et al.*

Appl. No. 09/748,741

Filed: December 26, 2000

For: **Method for Opening a Proprietary
MAC Protocol in a Non-DOCSIS
Modem Compatibly with a DOCSIS
Modem**

Art Unit: 2642

Examiner: To be assigned

Atty. Docket: 1875.0830001

Request for Change of Attorney Docket Number

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants respectfully request that the attorney docket number for the above-captioned application be changed from "40671/PAN/B600" to -- 1875.0830001 --. Kindly use this attorney docket number in any future correspondence addressed to the undersigned.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Donald J. Featherstone
Attorney for Applicants
Registration No. 33,876

Date: 5/30/01.

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RES/DJF/mmb

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Limb et al.

Appl. No. 09/748,741

Filed: December 26, 2000

For: **Method for Opening a
Proprietary MAC Protocol in a
Non-DOCSIS Modem Compatibly
with a DOCSIS Modem**

Confirmation No.: 4263

Art Unit: 2642

Examiner: To be assigned

Atty. Docket: 1875.0830001

**Authorization to Treat a Reply as Incorporating an Extension of Time
under 37 C.F.R. § 1.136(a)(3)**

Commissioner for Patents
Washington, D.C. 20231

Sir:

The U.S. Patent and Trademark Office is hereby authorized to treat any concurrent or future reply that requires a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. The U.S. Patent and Trademark Office is hereby authorized to charge all required extension of time fees to our Deposit Account No. 19-0036, if such fees are not otherwise provided for in such reply. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Donald J. Featherstone
Attorney for Applicants
Registration No. 33,876

Date: 5/30/01
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SKGF 1/26/01 mac